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Dated: August 18, 2008
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**PATENT**
Attorney Docket No. CSC-002

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***
***BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES***

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|---|---|---|---|
| APPLICANT: | Donoghue et al. | | |
| SERIAL NO.: | 10/627,682 | GROUP NO.: | 2179 |
| FILING DATE: | July 28, 2003 | EXAMINER: | Augustine, Nicholas |
| TITLE: | System and Method for Vertical Path Navigation | | |

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## APPEAL BRIEF

This Appeal Brief is submitted in accordance with 37 C.F.R. § 41.37 in furtherance of the Notice of Appeal filed May 22, 2008, in support of the appeal from final rejection of pending claims in the above-identified application.

Appellants believe that a one-month extension fee is due for this Appeal Brief to be entered and considered. However, please consider this a conditional petition for the proper extension, if one is required. The Commissioner is hereby authorized to charge any additional fees that may be due, for further extensions of time or any other purpose associated with this submission, or credit any overpayment, to Appellants' undersigned counsel's deposit account number 07-1700 with reference to docket number CSC-002.

## REAL PARTY IN INTEREST

The real party in interest is the owner of the present application, CSC Holdings, Inc.

## RELATED APPEALS AND INTERFERENCES

No other appeals or interferences directly affect or will be directly affected by the Board's decision in the present appeal.

## STATUS OF CLAIMS

The application as filed contained 55 claims. Appellants subsequently filed a preliminary amendment adding claims 56 – 74. In an amendment filed on April 5, 2006, Appellants amended claims 1, 2, 4-11, 14-21, 23-30, 33-38 and 52, cancelled claims 3, 12, 13, 22, 31, 32, 40-51 and 53-74 and added new claims 75 and 76. In an amendment filed on November 8, 2007, Appellants amended claim 26. Claims 1, 2, 4 – 11, 14 – 21, 23 – 30, 33 – 39, 52, 75 and 76 remain pending, have been rejected, and are the subject of this appeal.

## STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Office Action mailed on February 27, 2008 (the "2/27/08 Office Action").

## SUMMARY OF CLAIMED SUBJECT MATTER

The present invention involves the presentation of images in an effective and space-efficient manner.[1] Unlike conventional methods of presentation, the invention utilizes both vertical and horizontal displays presented in different display areas.[2] More specifically, selection of a menu item displayed in a first display area causes a second menu to be displayed in the same display area, and the selected menu item is presented in a second display area aligned in a different direction and at a different location than the first display area.[3]

In one aspect and as recited in claim 1, the invention relates to a method for displaying a hierarchical list on a graphical user interface.[4] The method comprises displaying, along a first direction (e.g., vertically), a first list of items at a first display area on a display, wherein at least one of the items of the first list has one or more sub-items associated therewith but not displayed.[5] Upon selection by a user of one of the items from the first list, the first list of items is replaced a second list of items comprising one or more of the sub-items associated with the selected item from the first list by displaying the second list at the first display area and along the first direction.[6] The selected item is displayed at a second display area along a second (e.g., horizontal) direction different from the first direction.[7]

[1] Specification at paragraph [0007].
[2] Specification at paragraph [0010].
[3] Specification at paragraphs [0032] and [0033].
[4] Specification at paragraph [0028].
[5] Specification at paragraph [0032].
[6] Specification at paragraph [0032].
[7] Specification at paragraph [0033].

In another aspect and as recited in claim 20, the invention relates to an electronic device having a graphical user interface that comprises a means for allowing a user to make selections from the graphical user interface and an image generation means.[8] The image generation means is configured to display a first list of items along a first direction at a first display area of the screen.[9] The image generation means is also configured to, upon selection by the user of an item in the first list, replace the first list of items with a second list of items at the first display area.[10] The second list includes sub-items associated with the item selected from the first list.[11] The image generation means is also configured to cause the selected item to displayed along a second direction (that being different from the first direction) at a second display area.[12]

In another aspect and as recited in claim 52, the invention relates to a machine-readable medium having executable instructions stored thereon.[13] The instructions facilitate the display, along a first direction, of a first list of items at a first display area on a display, wherein at least one of the items of the first list has one or more sub-items associated therewith but not displayed.[14] The instructions further allow selection by a user of one of the items from the first list, and in response, the first list of items is replaced a second list of items comprising one or more of the sub-items associated with the selected item from the first list by displaying the second list at the first display area

[8] Specification at paragraphs [0031] and [0042].
[9] Specification at paragraphs [0032] and [0042].
[10] *Id.*
[11] *Id.*
[12] Specification at paragraphs [0034] and [0042].
[13] Specification at paragraph [0022].
[14] Specification at paragraphs [0028] and [0030].

and along the first direction.[15] The instructions also allow for the selected item to be displayed at a second display area along a second direction different from the first direction.[16]

## GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL

The issue on appeal is whether claims 1, 2, 4 – 11, 14 – 21, 23 – 30, 33 – 39, 52, 75 and 76 are obvious under 35 U.S.C. §103(a) in light of U.S. Patent Publication Number 2004/0233238 to Lahdesmaki ("Lahdesmaki").

## ARGUMENT

*The Invention*

The visual presentation of hierarchically-organized information can often create confusion for the user and make it difficult to navigate through a menu of options, particularly when the information is presented as a series of successively linked menus, each having numerous selectable items. Conventional approaches to addressing this challenge by either displaying a subset of the available options or menus (for example, by making previous menus disappear entirely), or by successively adding options and menus onto the display, thereby creating a complicated maze of menus.

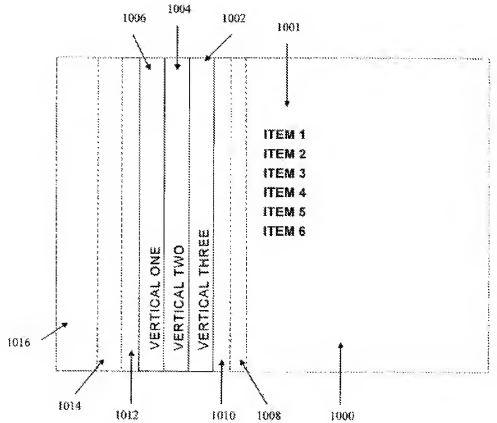
Hiding previous menus requires users to maintain a "mental map" of the menu system, because options (and the menus from which they were selected) disappear. Progressively adding more information, on the other hand, results in overloading the user

[15] Specification at paragraph [0032].
[16] Specification at paragraph [0033].

with a dizzying array of menu selections and options. Moreover, as the screen becomes more cluttered, the user can no longer view programming on-screen while navigating the menu options. Thus, conventional methods of presenting such information on an interactive menu have failed to strike an effective balance among competing needs: to present enough information to facilitate informed choices, to provide context within the hierarchy, and to minimize screen "real estate" consumed by the information being presented.

As reflected in the independent claims, Appellants' approach is well-suited to hierarchical menus in which selectable items (e.g., a type of programming, such as "on-demand movies") are associated with sub-items (e.g., specific available movies). This is because an item, when selected, is not simply replaced with its sub-items. Rather, both the selected item and its sub-items remain visible to the user, yet the overall organization is compact and need not overwhelm the screen.

This is most easily understood with reference to Fig. 10 of the application and its accompanying text (¶¶[0051]-[0053]):




"Items" appear in the horizontal display area 1001. Note that this area is considered "horizontal" because of the orientation of the text. As an item is selected by the user, the item (or an indication thereof) moves to one of the vertical display areas 1002, 1004, 1006 — in particular, to the next unoccupied vertical display area[17] — and new items (e.g., sub-items associated with the selected item) now appear in the horizontal display area 1001. "In this way, a user can easily and quickly traverse to any of the previously selected items"[18] by clicking on the corresponding vertical display area. Moreover, programming can continue to appear in the large screen area unoccupied by the item and sub-item displays.

[17] The display area being described as "vertical" because of the orientation text.
[18] Specification at paragraph [0053].

More specifically, in a cable TV "on-demand" menu, the first list may include vertically stacked, horizontally-oriented items such items as "Premieres," "Movies," "HBO On Demand," "Showtime On Demand," and "IFC On Demand." Selecting "HBO On Demand," for example, would result in the "HBO On Demand" menu item being displayed in vertical display area 1002,[19] while sub-items associated with "HBO On Demand" replace the first menu and are displayed in the first display area. The sub-items may include, for example, "HBO Series," "Movies," "HBO Kids," and "HBO Specials." Again, selection (for example) of "HBO Series" would cause the indication of the selection of "HBO On Demand" to move to vertical display area 1004, an indication of the selection of "HBO Series"[20] to be displayed in vertical display area 1002, sub-items associated with "HBO Series" to replace the sub-item menu and be displayed in the first display area.[21]

Appellants' invention thus provides techniques for presenting information on an interactive menu in a manner that achieves the elusive balance described above. By allocating specific screen areas to current and previously-selected items, and using a different orientation for current versus previously-selected items, users can clearly distinguish between the current context and previous selections, while much of the screen remains available for media presentation. As a result, a user can remain engaged with the show or other media being broadcast, while easily navigating the menu system to find a desired selection or previous selection. Of course, it should be appreciated that the user

[19] Alternatively, an indication of the selection "HBO On Demand," such as merely "HBO", could be displayed.
[20] For example, either the words "HBO Series" or some indication of that selection, such as simply the word "Series."

is able to move "backwards" to previously made selections by selecting the appropriate indication in the appropriate vertical display area. Moreover, it should also be appreciated that the fewer sub-menus that are navigated, the fewer vertical display areas that are occupied with indications of previous selections.

*The Examiner's Rejection of Claims 1, 20 and 52 Under 35 U.S.C. §103(a)*

Each of the three independent claims can be generally summarized as a three step process – the display of a first list along a first direction at a first location on a display ("First List Display"), user-triggered replacement of the first list with a second list at the same location ("User-Triggered Replacement"), and presenting an indication of a selection made from the first list in another area of the screen and in a direction different from that of the second list area ("Selection Presentation").

Lahdesmaki Does Not Disclose Appellant's User-Triggered Replacement

In rejecting independent claims 1, 20 and 52, the Examiner expressly acknowledge that "Lahdesmaki does not specifically use the language "replacing first menu with second menu."[22] Even so, the Examiner contends that the claims are obvious in light of Lahdesmaki "because Lahdesmaki suggests that menu items of previous selections can be (darken, transparent, change in color, or other indicative of change of position) … as well as the new child menu can be placed *on top of* the parent menu[]," citing to Lahdesmaki ¶ ¶ 33, 35, 36 and 52[23] But Lahdesmaki simply does not, in any

[21] The successive replacement of menus,and sub-menus may continue indefinitely.
[22] *Id.*.
[23] 2/27/08 Office Action, pg. 4 (emphasis added).

embodiment, disclose or even suggest replacing a first menu with a second menu as claimed herein. Rather, the menus and sub-menus persist, eventually swallowing the screen with precisely the sort of clutter that the present invention avoids.

Lahdesmaki contemplates two possible solutions to displaying subsequent menus within a hierarchy. In one instance, and as illustrated in Fig. 2A, subsequent menus are "linked to the main folder graphically or placed in the vicinity of the main folder and/or at least partially aligned with the fixed focus pointer."[24] In this case, the placement of additional lists of menu options at previously unused areas of the screen while still maintaining the previously viewed lists at their current positions creates a cluttered and confusing array of boxes and lists with no large unobscured screen area:

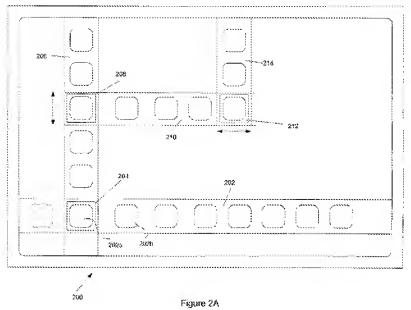



Figure 2A

[24] Lahdesmaki, para. [0025].

Leaving previously viewed menus on screen as new menus appear perpendicular to the selected items creating a lattice of menus that, after only a few selections, obfuscates the screen to such a point that a user cannot view a program while utilizing the menu system. Figs. 7 and 8 of Lahdesmaki illustrate this approach taken to the extreme, in which the entire screen is cluttered with menus, resulting in virtually no real estate left to view programming and poor navigational usability.

Lahdesmaki's second approach, illustrated by Fig. 2B, attempts to address the real estate limitation issue by layering menus "partly on top of each other."[25] To attempt to distinguish one menu folder from another, Lahdesmaki suggests that a previously viewed folder be "graphically altered" by making it appear "brighter or darker or transparent, change color or otherwise indicate position"[26]:

[25] Lahdesmaki, para. [0035].
[26] *Id.*

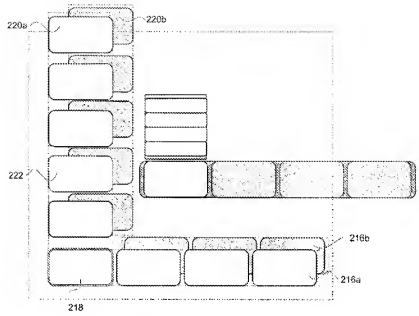



Figure 2B

In both cases, therefore, Lahdesmaki describes a menu system in which the selection of an item "may cause another folder containing elements to be *simultaneously* displayed."[27] Moreover, in both cases, a *second* menu is displayed in a *second* display area.

There are several distinct aspects to the User-Triggered Replacement step of the present invention: *replacement* of a first list with another list,[28] whereby the second list occupies *the same location* previously occupied by the first,[29] and the replacement being triggered by a user's *selection* of an item from the first list.[30] As outlined generally

[27] Lahdesmaki, para. [0027] (emphasis added).
[28] See the following language of claim 1: "replacing the first list of items by displaying . . . a second list of items"
[29] See the following language of claim 1: "by displaying at the first display area . . ."
[30] See the following language of claim 1: "upon selection by a user . . ."

above, and described in more detail below, Lahdesmaki simply does not teach, disclose or suggest these aspects in the manner claimed.

For example, Ladhesmaki discusses the display of a "first sub folder" "in the form of two folders, bars, columns, or rows, upper 220a and lower 200b."[31] These two folders "may [be] placed partly one on the other or side by side, that [they] may have only one moveable focus pointer 218, and that [they] may be scrollable together by cyclic manner as a single unit and all the elements in them are selectable."[32] At no point does Ladhesmaki teach, disclose or suggest that making a selection from one folder results in the replacement of the folder with a second folder.

Further, in ¶ 52 (and associated Fig. 7), Ladhesmaki discusses various sequential arrangements of horizontal and vertical folders, which exemplifies the screen clutter eliminated by the instant invention. In direct contrast to the replacement of menus as claimed, Fig. 7 illustrates that a *second* list of items is displayed in a second display area, not replacing the original list in the first. For example, sequential folders 702, 704 and 706 are displayed in their own distinct display areas – folder 704 is not displayed in the area previously occupied by folder 702, nor is folder 706 ever displayed in the area previously occupied by folder 704.

Appellant's invention, as recited in the present claims, presents a list of selectable items at first screen location, and as items are selected, the items are moved to a separate "second display area." This allows the area of the screen consumed by the lists to be minimized (by, for example, displaying the moved items vertically). By keeping the first

display area free from any previously viewed menus or selections and limiting that display area to the current menu, Appellants' strategy of replacement rather than accumulation eliminates the cluttered screen that results from using either of Lahdesmaki's approaches. Moreover, although the approach set forth in the present claims avoids clutter, it still permits a user to view a navigational history of his or her path through the menu system and, at the same time, allows open screen space to be preserved. As such, the three-step approach of placement, replacement, and moving addresses challenges of navigational usability that are clearly unmet by Lahdesmaki, and indeed, was specifically created to improve upon just such techniques.

Lahdesmaki simply does not "replace" as required by the present claims; rather, Lahdesmaki accumulates. The burden is on the Examiner to demonstrate that each feature of a claim is met by a reference or valid combination of references, and this the Examiner has not done. The courts have repeatedly and consistently held that "all limitations [of a claim] must be considered ... and it is error to ignore specific limitations in distinguishing over the references." *In re Boe and Duke*, 184 USPQ 38, 40 (CCPA 1974); *see also* MPEP §2143.03.

Lahdesmaki Does Not Disclose Appellant's Selection Presentation

In addition to failing to disclose replacing a first list with a second in the same display area,Lahdesmaki also does not disclose the presentation of a selection made from the first list in another area of the display along a direction different from that of newly displayed items.

[31] Lahdesmaki, para. [0036].

Referring again to Figure 10, indications of previously-selected menu items are presented in a different direction from that of the resulting sub-menu. For example, items 1002, 1004 and 1006 are presented using a vertical orientation, while the resulting sub-menu (item list 1001) is listed horizontally. In contrast, the items listed in Lahdesmaki's menus use a constant display direction. with the previously selected items stacked vertically, one on top of each other. This "stacking" is clearly illustrated in Fig. 2A. For example, item 214 of Fig. 2A is a vertically stacked menu, and individual items from any given menu (whether stacked horizontally or vertically) are *always* illustrated by Lahdesmaki as having a horizontal orientation. Figs. 11B and 11C illustrate this point precisely. Although items within consecutively accessed menus are alternatively stack horizontally and vertically within the menus, individual items within *all* menus are consistently displayed in the same direction (horizontally), regardless of the presentation of underlying menu. The present invention, in contrast, changes the display direction such that the user can easily distinguish between a current menu and previously selected menu items.

Second, the claims require displaying an indication of selected items at a *second* location; that is, at a location which is *different* from display area in which the item and its associated menu had originally been displayed. Thus, as illustrated in Figure 10 of the instant application, a selection of "Item 1" from menu 1001 results in of the display of "Item 1" (or an indication thereof) at display area 1002. Prior to this selection, the item

[32] *Id.*

appeared within display area 1000, and does not appear anywhere within display area 1002.

Lahdesmaki does not contemplate moving selected menu items from an original display location to another display area. For example, Fig. 2A shows a menu 202 occupying a horizontal strip toward the bottom of the display. Although individual items within this menu may be scrolled within menu 202, for example bringing them underneath the focus pointer 202a, menu 202 continually occupies the same area of the screen. Movement of any given item from menu 202 under the focus pointer 202a, or selection of a specific item from menu 202 does *not* result in the movement of the selected item from the are occupied by the menu to a different (second) area of the display. Rather, it merely results in the display of a *second menu* (such as menu 206) in a *second display area* – in this case, a vertical strip along the left side of the display.

For example, in Fig. 11B of Lahdesmaki, selection of the item "Program Guide" from the menu scrolled horizontally across the bottom of the display results in items "Channel 1," "Channel 2," "Channel 3," "Channel 4," and "Channel 5" to be displayed in a second display area. Selection of the item "Channel 2" results in items "Program 1," "Program 2," and "Program 3" to be displayed in a third display area. And selection of "Program 3" results in items "Information," "View," "Move," "Delete," and "ETC." to be displayed in a fourth display area. However, at no point does this (or any other) Figure in Lahdesmaki (or any portion of the specification) disclosemovement of the item "Program Guide" to the second display area, movement of the item "Channel 2" to the third display area, or movement of the item "Program 3" to the fourth display area.

Instead, each item remains at the display area at which the menu from which it was selected was originally displayed.

In citing to paragraphs 30-33 and 52 of Lahdesmaki, the Examiner confuses the scrolling or cycling of items within a given menu on the one hand (disclosed by Lahdesmaki), with the movement of an item from one screen area to another (as claimed). For example, it is true that Lahdesmaki contemplates that individual items in menu 202 (illustrated in Fig. 2A) may be aligned with the fixed-focus pointer 204 – that is, although item 202a is illustrated as being currently aligned with pointer 204, scrolling of menu 202 may result, for example, in item 202b being aligned therewith. However, items 202a and 202b (as well as all other items in menu 202) *never* leave the first display area, i.e., the strip at which menu 202 is displayed.

In the instant invention, the "first display area" is explicitly associated with "a first list of items." The location of the "first display area" is that real-estate occupied by the "first list of items"; not merely that area occupied by any given item in the first list. Thus, in Lahdesmaki, this "first display area" is the entire strip occupied by menu 202. It is *not* merely the area aligned with fixed-focus pointed 204. When considered in this context, it becomes clear that Lahesmaki does not disclose, teach or suggest "displaying the selected item at a *second* display area," as claimed.

## CONCLUSION

For all of the foregoing reasons, we submit that the Examiner's rejections of claims 1, 2, 4 – 11, 14 – 21, 23 – 30, 33 – 39, 52, 75 and 76 were erroneous, and reversal thereof is respectfully requested.

Accompanying this brief is the fee specified in 37 C.F.R. §1.17(f). Please charge any additional fee occasioned by this paper to our Deposit Account No. 07-1700.

Respectfully submitted,

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## CLAIMS APPENDIX

1. A method for displaying a hierarchical list on a graphical user interface, the method comprising:

displaying along a first direction a first list of items at a first display area on a display, at least one of the items of the first list having one or more sub-items associated therewith but not displayed;

upon selection by a user of one of the items from the first list, replacing the first list of items by displaying at the first display area and along the first direction a second list of items comprising one or more of the sub-items associated with the selected item from the first list of items; and

displaying the selected item at a second display area along a second direction different from the first direction.

2. The method of claim 1, wherein the item selected from the first list is displayed substantially perpendicular to the one or more sub-items associated therewith.

4. The method of claim 1, further comprising, upon selection by the user of one of the items in the second list, displaying a third list of items at the first display area by replacing the second list of items, the third list of items corresponding to one or more sub-items associated with the item selected from the second list of items.

5. The method of claim 4, further comprising vertically displaying at the second display area the item selected from the second list of items.

6. The method of claim 5, further comprising vertically displaying the item selected from the first list of items adjacent to the item selected from the second list of items.

7. The method of claim 6, wherein the item selected from the second list of items is displayed between the third list of items and the item selected from the first list of items.

8. The method of claim 4, further comprising, upon selection of an item from the third list of items, displaying at the first display area a fourth list of items in place of the third list of items, the fourth list of items corresponding to one or more sub-items associated with the item selected from third list of items.

9. The method of claim 8, further comprising vertically displaying the item selected from the third list of items adjacent to the fourth list of items.

10. The method of claim 9, further comprising vertically displaying the item selected from the third list of items adjacent to the item selected from the second list of items.

11. The method of claim 10, wherein the item selected from the third list of items is displayed between the fourth list of items and the item selected from the second list of items.

14. The method of claim 10, further comprising, upon user selection of one of the vertically displayed selected items in the second display area, , redisplaying at the first display area the list, list of sub-items associated with the vertically displayed selected item.

15. The method of claim 8, further comprising, upon selection of an item from the fourth list of items, displaying at the first display area a fifth list of items by replacing the fourth list of items, the fifth list of items corresponding to one or more sub-items associated with the item selected from the fourth list of items.

16. The method of claim 15, further comprising facilitating the selection of any of the previously selected items displayed in the second display area.

17. The method of claim 15, further comprising: vertically displaying a maximum of three previously selected items in the second display area, such that upon selection of the fourth item, the first selected item is placed in a non-visible portion of the display adjacent to the second selected item.

18. The method of claim 17, further facilitating the traversal of the a screen indicator display to any of the vertically displayed previously selected first, second, third, or fourth items, including the first selected item displayed in the non-visible portion of the display.

19. The method of claim 18, further comprising, upon traversal of the screen indicator to the first selected item, moving the first selected item from the non-visible portion to be in place of the second selected item, moving the second selected item to be in place of the third selected item, moving the selected item from the third list of items to be in place of the fourth selected item, and moving the fourth selected item to a further non-visible portion of the display.

20. An electronic device having a graphical user interface, the device comprising:

a screen for displaying the graphical user interface;

means for allowing a user to make selections on the graphical user interface; and

image generation means configured to:

cause the display of a first list of items along a first direction on the screen at a first display area;

upon selection by the user of one of the items in the first list, replace the first list of items with a second list of items at the first display area, the second list of items comprising one or more sub-items associated with the selected item; and

cause the selected item to be displayed along a second direction different from the first direction at a second display area.

21. The electronic device of claim 20, wherein the image generation means is further configured to display the item selected from the first list of items substantially perpendicular to the second list of items.

23. The electronic device of claim 20, wherein the image generation means is further configured to display, upon selection by the user of one of the items in the second list, a third list of items by replacing the second list of items, the third list of items corresponding to sub-items associated with the item selected from the second list of items.

24. The electronic device of claim 23, wherein the image generation means is further configured to vertically display the item selected from the second list of items adjacent the third list of items.

25. The electronic device of claim 24, wherein the image generation means is further configured to vertically display the selected item from the first list of items adjacent the item selected from the second list of items.

26. The electronic device of claim 25, wherein the image generation means is further configured to display the item selected from the second list of items between the third list of items and the item selected from the first list of items.

27. The electronic device of claim 23, wherein the image generation means is further configured to display at the first display area, upon selection by the user of an item from the third list of items, a fourth list of items by replacing the third list of items, the fourth list of items corresponding to one ore more sub-items associated with the item selected from third list of items.

28. The electronic device of claim 27, wherein the image generation means is further configured to vertically display the item selected from the third list of items adjacent to the fourth list of items.

29. The electronic device of claim 28, wherein the image generation means is further configured to vertically display the item selected from the third list of items adjacent the item selected from the second list of items.

30. The electronic device of claim 29, wherein the item selected from the third list of items is displayed between the fourth list of items and the item selected from the second list of items.

33. The electronic device of claim 29, wherein the image generation means is further configured to, upon user selection of one of the vertically displayed selected items redisplay at the first display area the list of sub-items associated with the vertically displayed selected item.

34. The electronic device of claim 27, wherein the image generation means is further configured to, upon selection by the user of an item from the fourth list of items, display of a fifth list of items by replacing the fourth list of items, the fifth list of items corresponding to one or more sub-items associated with the item selected from the fourth list of items.

35. The electronic device of claim 34, wherein the image generation means is further configured to facilitate selection of any of the previously selected items displayed in the second display area.

36. The electronic device of claim 34, wherein the image generation means is further configured to display a maximum of three previously selected items in the

second display area, and whereupon selection of a fourth item the item selected from the first list of items is moved to a non-visible portion of the graphical user interface adjacent to the item selected from the second list of items.

37. The electronic device of claim 36, wherein the image generation means is further configured to facilitate traversal of any of the vertically displayed previously selected items, including the first selected item displayed in the non-visible portion of the graphical user interface.

38. The electronic device of claim 37, wherein the image generation means is further configured to cause, upon user traversal of the screen to the item selected from the first list of items,

the indication of the selected item from the first list of items to be moved from the non-visible portion of the graphical user interface to be in place of the selected item from the second list of items;

the selected item from the second list of items to be moved in place of the selected item from the third list of items;

the selected item from the third list of items to be moved in place of the selected item from the fourth list of items; and

the selected item from the fourth list of items to be moved to a further non-visible portion of the graphical user interface.

39. The electronic device of claim 20, wherein the electronic device is one of a personal data assistant, a watch, a computer, a television, a home security system, a direct broadcast television system, a personal video recorder, or a cable television system.

52. A machine-readable medium having stored thereon a plurality of executable instructions, the plurality of instructions comprising instructions to:

display a first list of items at a first display area horizontally on a display;

upon selection by a user of one of the items in the first list, horizontally display a second list of items by replacing the first list of items at the first display area, the second list of items comprising one or more sub-items associated therewith; and

vertically display at a second display area the selected item.

75. The method of claim 1, wherein the first direction is horizontal and the second direction is vertical.

76. The electronic device of claim 20, wherein the first direction is horizontal and the second direction is vertical.

## EVIDENCE APPENDIX

There has been no evidence submitted under 37 C.F.R. 1.130, 1.131 or 1.32 in this case.

## RELATED PROCEEDINGS APPENDIX

There have been no proceedings related to this case.